

AMENDED IN ASSEMBLY JUNE 5, 2014

AMENDED IN SENATE JANUARY 6, 2014

AMENDED IN SENATE APRIL 4, 2013

SENATE BILL

No. 544

Introduced by Senator DeSaulnier

February 22, 2013

An act to amend Section 41512 of, and to add Title 9 (commencing with Section 14060) to Part 4 of the Penal Code, Section 41511.5 to, the Education Code, relating to violence prevention, school safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 544, as amended, DeSaulnier. ~~Violence prevention. School safety programs: funding.~~

Existing law provides for multiple violence prevention programs, including the California Gang, Crime, and Violence Prevention Partnership Program; the California Community Crime Resistance Program; the Rural Indian Crime Prevention Program; and the sexual assault felony enforcement (SAFE) team program.

This bill would create the California Violence Prevention Authority within the State Department of Public Health. The authority would be given duties and responsibilities related to the prevention of violence, including, developing a statewide violence prevention plan and coordinating statewide violence prevention efforts. The duties and responsibilities of the authority would also include administering a violence prevention grant program with available funds, as specified. The bill would provide for an advisory committee, as specified, to assist the authority, and would also create the Violence Prevention Fund in the State Treasury.

The School Safety Violence Protection Act establishes the School Safety and Violence Prevention Strategy Program, which is administered by the Superintendent of Public Instruction, for the purpose of providing grant funding and coordination of programs and strategies that promote school safety and emphasize violence prevention among children and youth in the public schools. Existing law establishes the school safety consolidated competitive grant, from which grant funds are distributed to school districts in order to carry out one or more purposes for which various specified school safety programs were established, including programs under the School Safety and Violence Prevention Strategy Program.

Existing law authorizes a state agency to apply to the Department of Motor Vehicles to sponsor a specialized license plate program, and requires the department to issue specialized license plates for that program, if the state agency complies with specified requirements.

This bill would require the State Department of ~~Public Health~~ Education to apply to the Department of Motor Vehicles for the purpose of creating a specialized license plate program. The bill would require that the fees collected from the sale of the specialized license plates be deposited in the School Violence Prevention Fund, which the bill would establish, and, upon appropriation by the Legislature, be ~~available to further the purposes of the authority allocated to the State Department of Education for purposes of carrying out those same school safety programs funded under the school safety consolidated competitive grant program, or as determined by the department for purposes of school violence prevention.~~ The bill would authorize the Superintendent to consult with the Board of State and Community Corrections, the State Department of Social Services, and the State Department of Public Health on school violence prevention and intervention in order to carry out one or more of the purposes of those specified school safety programs.

~~This bill would specify that funding for the authority may be provided in the annual Budget Act, as specified, and the authority would not be operational until sufficient funding for the authority, from all sources, becomes available.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 41511.5 is added to the Education Code,*
2 *to read:*

3 *41511.5. The State Department of Education shall apply to the*
4 *Department of Motor Vehicles pursuant to Section 5156 of the*
5 *Vehicle Code for the purpose of creating a specialized license*
6 *plate program. Notwithstanding Section 5157 of the Vehicle Code,*
7 *the fees collected from the sale of the specialized license plates*
8 *shall be deposited in the School Violence Prevention Fund, which*
9 *is hereby established in the State Treasury. Upon appropriation*
10 *by the Legislature, the moneys in that fund shall be allocated to*
11 *the State Department of Education in order to carry out one or*
12 *more of the purposes for which the programs listed in Section*
13 *41511 and Article 10.4 (commencing with Section 35294.10) of*
14 *Chapter 2 of Part 21 were established, as the statutes governing*
15 *those programs read on January 1, 2004, or as determined by the*
16 *State Department of Education for purposes of school violence*
17 *prevention. The State Department of Education shall comply with*
18 *all of the requirements of Article 8.6 (commencing with Section*
19 *5151) of Chapter 1 of Division 3 of the Vehicle Code that apply*
20 *to a state agency that sponsors a specialized license plate program.*

21 *SEC. 2. Section 41512 of the Education Code is amended to*
22 *read:*

23 *41512. (a) The Superintendent of ~~Public Instruction~~ shall work*
24 *in partnership with the Office of the Attorney General to ensure*
25 *proper and efficient distribution of grant funds to school districts*
26 *in order to carry out one or more of the purposes for which the*
27 *programs listed in Section 41511 and Article 10.4 (commencing*
28 *with Section 35294.10) of Chapter 2 of Part 21 were established,*
29 *as the statutes governing those programs read on January 1, 2004.*

30 *(b) The Superintendent may consult with the Board of State and*
31 *Community Corrections, the State Department of Social Services,*
32 *and the State Department of Public Health on school violence*
33 *prevention and intervention in order to carry out one or more of*
34 *the purposes for which the programs listed in Section 41511 and*
35 *Article 10.4 (commencing with Section 35294.10) of Chapter 2 of*
36 *Part 21 were established, as the statutes governing those programs*
37 *read on January 1, 2004.*

1 SECTION 1. ~~Title 9 (commencing with Section 14060) is added~~
2 ~~to Part 4 of the Penal Code, to read:~~

3
4 TITLE 9. CALIFORNIA VIOLENCE PREVENTION ACT

5
6 14060. ~~This title shall be known and may be cited as the~~
7 ~~California Violence Prevention Act of 2013.~~

8 14062. ~~(a) The California Violence Prevention Authority is~~
9 ~~hereby created within the State Department of Public Health.~~

10 ~~(b) The duties and responsibilities of the authority shall include,~~
11 ~~but are not limited to, all of the following:~~

12 ~~(1) Developing a statewide, violence prevention plan that~~
13 ~~includes multidisciplinary approaches, including criminal justice~~
14 ~~and public health approaches, to violence prevention in families,~~
15 ~~schools, and communities.~~

16 ~~(2) Coordinating statewide violence prevention efforts.~~

17 ~~(3) Seeking, receiving, and administering grants and funds from~~
18 ~~public and private sources for violence prevention efforts and~~
19 ~~programs.~~

20 ~~(4) Distributing the grants and funds obtained for violence~~
21 ~~prevention efforts and programs, pursuant to rules adopted by the~~
22 ~~authority and subject to appropriation, to local and statewide~~
23 ~~organizations, initiatives, and programs that address violence~~
24 ~~prevention in a comprehensive and collaborative manner, including,~~
25 ~~but not limited to, the following:~~

26 ~~(A) Community based youth violence prevention programs,~~
27 ~~including mentoring programs, after school programs, and job~~
28 ~~training and development programs.~~

29 ~~(B) Early childhood intervention programs designed to prevent~~
30 ~~violence and identify and serve at-risk children and families.~~

31 ~~(C) Family violence and sexual assault prevention initiatives.~~

32 ~~(D) Programs that integrate violence prevention services with~~
33 ~~alcohol and substance abuse prevention services.~~

34 ~~(E) Programs that integrate violence prevention services with~~
35 ~~providing health care services.~~

36 ~~(5) Providing training and technical assistance to help build the~~
37 ~~capacity of organizations, communities, and local government to~~
38 ~~develop, implement, and evaluate violence prevention programs.~~

39 14064. ~~(a) The authority shall have an advisory board which~~
40 ~~shall meet periodically to carry out the purposes of this title and~~

1 to execute the duties and responsibilities identified in Section
2 14062.

3 (b) The advisory board shall include, and be chaired by, the
4 Attorney General, the Superintendent of Public Instruction, and
5 the State Public Health Officer.

6 (c) The advisory board shall also include the following:

7 (1) The Secretary of California Health and Human Services, or
8 his or her designee, and one additional representative of the
9 California Health and Human Services Agency, to be selected by
10 the Secretary of California Health and Human Services.

11 (2) The Commissioner of the California Highway Patrol, or his
12 or her designee.

13 (3) The Director of Social Services, or his or her designee.

14 (4) The Director of the California Department of Aging, or his
15 or her designee.

16 (5) The Secretary of the Department of Corrections and
17 Rehabilitation.

18 (6) Six public members, each representing a health, criminal
19 justice, or civic association or organization working in the area of
20 violence prevention, or an advocate for victims including domestic
21 violence or sexual assault victims. Three of the public members
22 shall be appointed by the Attorney General and three of the public
23 members shall be appointed by the Superintendent of Public
24 Instruction. Each public member shall be appointed for a term of
25 three years, and may be reappointed.

26 14066. The Violence Prevention Fund is hereby created in the
27 State Treasury. Funds received from private, state, or federal
28 sources for violence prevention purposes may be deposited into
29 the fund. Upon appropriation by the Legislature, these funds shall
30 be used by the California Violence Prevention Authority to carry
31 out the purposes of this title.

32 14068. The State Department of Public Health shall apply to
33 the Department of Motor Vehicles pursuant to Section 5156 of the
34 Vehicle Code for the purpose of creating a specialized license plate
35 program. The fees collected from the sale of the specialized license
36 plates shall be deposited in the Violence Prevention Fund, and
37 upon appropriation by the Legislature, shall be used to carry out
38 the purposes of this title. The department shall comply with all of
39 the requirements of Article 8.6 (commencing with Section 5151)

1 of Chapter 1 of Division 3 of the Vehicle Code that apply to a state
2 agency that sponsors a specialized license plate program.
3 ~~SEC. 2. Funding to implement the purposes, objectives, and~~
4 ~~operations of the California Violence Prevention Authority may~~
5 ~~be provided from an amount appropriated to the State Department~~
6 ~~of Public Health for that purpose in the annual Budget Act. The~~
7 ~~California Violence Prevention Authority shall not be operational~~
8 ~~until the State Department of Public Health determines that~~
9 ~~sufficient funding for the authority, from any source, including,~~
10 ~~but not limited to, an appropriation to the State Department of~~
11 ~~Public Health for that purpose in the annual Budget Act or revenue~~
12 ~~generated by the sale of a specialized license plate created pursuant~~
13 ~~to Section 14068 of the Penal Code, has become available.~~